REMARKS/ARGUMENTS

Rejections Under 35 U.S.C. §102

The Examiner has rejected claims 1-10, 30-40, and 43 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,349,4040 to Moore et al. Applicants respectfully disagree.

With respect to claim 1, The Examiner argues that Moore et al. teach identifying and modeling one or more business processes with one or more steps to each said business process and identifying data relating to each step. Applicants disagree. When Moore et al. speaks to modeling, the reference does so in two distinct ways. First, Moore et al. disclose modeling the business world as objects, namely, objects in the object-oriented programming sense of the word. According to column 3, lines 42-44, an 'object,' as defined by Moore et al., is an abstract representation of a real-world concept or thing. For example, an object can be used to represent a customer account in a banking application. Thus, when Moore et al. speak of modeling the world as objects, they refer to modeling discrete concepts or things as objects in the computer software. This is not the same as the present method, wherein a step involved is identifying and modeling one or more business processes. As stated in the specification of the present case, the modeling that takes place in the initiation step of the present invention is directed to creating a conceptual architecture of the system. That is, using project scoping, component identification, and class diagramming to understand the basic functionality required of a system. This is entirely different from what Moore et al. disclose in terms of modeling objects.

Moore et al. also use the term 'modeling' in conjunction with element 12, described in the specification as a transform model. According to the Moore et al. specification, the transform model of Moore et al. is a Component Object Model automation component that represents associations between legacy assets of specifications stored in a repository program.

Again, this is entirely unlike the modeling step of the present invention, as described above and in the present specification. Moore et al. do not disclose such a modeling step.

Next, the Examiner states that Moore et al. disclose "designing and creating one or more independent set of software services with each database being shared by said software services." Applicants note that this is not a required element of the present invention. Claim 1 of the present application requires, rather, the step of "designing and creating one or more independent set of software services with each *said service corresponding to a respective business process*"(emphasis added). The Examiner has not established a *prima facie* case for disclosure of this element by Moore et al. because the Examiner has not referred to this element of claim 1 of the present application. Instead, the Examiner has misconstrued the element as noted above and based a rejection on that inaccurate statement of the element.

The Examiner further states that Moore et al. disclose "designing and creating at least one database for storing said data, said database being shared by said software services." Applicants notes that this element of claim 1 refers specifically to "software services" as set forth in the previous element of the claim (and as described above). Since the Examiner did not establish a *prima facie* case with respect to that prior element, for the reasons given above, then the argument that this element is disclosed by Moore et al. is likewise improper.

In view of the above, Applicants submit that Moore et al. do not disclose each and every element of claim 1 of the present invention. As such, the rejection under 35 U.S.C. §102 is improper and Applicants respectfully request that the Examiner withdraw the rejection.

With respect to claim 2 of the present application, the Examiner makes the statement that Moore et al. disclose the steps of initiation, visualization, specification, design, and implementation. The Examiner then makes a reference to Figures 3 and 4, and column 7, lines 1-10. Applicants see no specific disclosure of these steps in the portions of Moore et al. cited by

the Examiner, and the Examiner provides no argument or supporting language upon which Applicants can base an analysis of the rejection. Applicant notes that each of these steps is the focus of a good deal of disclosure in the present application, and the Examiner has not made an attempt to show how Figures 3 and 4 of Moore et al. or lines 1-10 of column 7, disclose these elements. For example, according to the present application, the "initiation" step is designed to create a conceptual architecture of the system and understand the functionality required thereof. The 'initiation' step involves project scoping, component identification, and class diagramming. The Examiner has not pointed to any language in Figures 3 and 4, or lines 1-10 of column 7, of Moore et al. to support an argument that Moore et al. disclose the initiation step of the present invention. The 'visualization' step of the present application is directed toward describing the proposed application and its components in just enough detail to convey what the application will look like and how it will behave. The step includes completion of business and user events, prototyping of facets and facet modules, and further development of class diagrams, among other things. Such a visualization step is not disclosed by Moore et al., and the Examiner has pointed to no language in Moore et al. to support that argument that such a visualization step is disclosed. The 'specification' step of the present invention is used to develop a 'contract' for the development of component services and the application that will use those services. During this step, the detailed requirements for an application slice are designed, all aspects of facets that are observable to a user are detailed, as well as the behavior of the component services involved and the hub logic. Class diagrams are completed. Business identifiers for all classes are specified, as are the attribute properties of the classes. Navigation across facet modules is fully described, and a deliverable of facet module specification is provided. Other steps are undertaken as well. No such specification step is disclosed by Moore et al., and the Examiner has pointed to no language in Moore et al. to support the argument that such a step is disclosed. Moore et al. disclose none

of the steps described above as those terms are defined by the present specification. Further, Moore et al. do not disclose the design and implementation steps as described in the present specification. Since Moore et al. do not disclose each and every element of claim 2 of the present application, Applicants submit that the rejection under 35 U.S.C. §102 is improper and respectfully request that the Examiner withdraw the rejection.

With respect to claim 4, the Examiner cites the same arguments as those used with respect to claim 1, above. Applicants note that the steps included in step (b) of the method of claim 4 are the same as the first three steps of claim 1. Moore et al. do not disclose these steps for the same reasons argued above with respect to claim 1, and Applicants incorporate those arguments here by reference. Because Moore et al. do not disclose each and every element of claim 4, Applicants respectfully submit that the rejection under 35 U.S.C. §102 is improper and request that the Examiner withdraw the rejection.

With respect to claim 30, the Examiner cites the same arguments as those used with respect to claim 1, above. Applicants note that the steps included in step (f) of the method of claim 30 are the same as the first three steps of claim 1. Moore et al. do not disclose these steps for the same reasons argued above with respect to claim 1, and Applicants incorporate those arguments here by reference. Because Moore et al. do not disclose each and every element of claim 30, Applicants respectfully submit that the rejection under 35 U.S.C. §102 is improper and request that the Examiner withdraw the rejection.

With respect to claim 3, Applicants note that this claim is dependent upon claim 2, which is allowable for the reasons argued above. As such, claim 3 is an allowable dependency on a patentable base claim.

With respect to claims 5-10, Applicants note that these claims depend, ultimately, from claim 4, which is allowable for the reasons argued above. As such, claims 5-10 are allowable dependencies on a patentable base claim.

With respect to claims 31-40, Applicants note that these claims depend, ultimately, from claim 30, which is allowable for the reasons argued above. As such, claims 31-40 are allowable dependencies on a patentable base claim.

With respect to claim 43, Applicants note that this claim is dependent upon claim 30, which is allowable for the reasons argued above. As such, claim 43 is an allowable dependency on a patentable base claim.

In view of the foregoing, Applicants submit that each of the claims pending in the present application, namely claims 1-10, 30-40, and 43, are patentable over the cited art. Applicants respectfully request allowance of the same.

Respectfully submitted,

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